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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DERRICK BYRD; individually, and on behalf of other members of the general public similarly situated and on behalf of other aggrieved employees pursuant to the California Private Attorneys General Act;

Plaintiff,

vs.

MASONITE CORPORATION, an unknown business entity; and DOES 1 through 100, inclusive,

Defendants.

Case No.: 5:16-cv-00035 JGB (KKx)

Honorable Jesus G. Bernal

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO
REMAND PURSUANT TO
28 U.S.C. § 1447**

Date: February 22, 2016
Time: 9:00 a.m.
Courtroom: 1

Complaint Filed: November 17, 2015

[PROPOSED] ORDER

Plaintiff Derrick Byrd's Motion to Remand came on for hearing before this Court on February 22, 2016, at approximately 9:00 a.m. in Courtroom 1 of the United States District Court for the Central District of California. The Court has reviewed Plaintiff's moving papers, Defendant Masonite Corporation's ("Defendant") opposition, and Plaintiff's reply brief in connection with the motion. The Court has also considered oral argument and all evidence presented at the hearing.

Plaintiff's Motion to Remand is hereby **GRANTED**. Defendant removed this action from the Superior Court of the County of Riverside pursuant to the Class Action Fairness Act of 2005 ("CAFA"). However, as Plaintiff's moving papers have demonstrated, Defendant failed to meet its burden of proof to show that there is minimal diversity of citizenship and that the amount in controversy exceeds \$5,000,000 as required by 28 U.S.C. § 1332(d). Accordingly, pursuant to 28 U.S.C. § 1447, the above-entitled action is hereby remanded to the Superior Court of the County of Riverside.

IT IS SO ORDERED.

Dated: _____

Hon. Jesus G. Bernal
Judge of the U.S. District Court